



STATE OF NEW JERSEY
CIVIL SERVICE COMMISSION

Chris Christie
Governor
Kim Guadagno
Lt. Governor

Robert M. Czech
Chair/Chief Executive Officer

**AGENDA OF REGULAR MEETING OF
THE CIVIL SERVICE COMMISSION
AUGUST 17, 2011**

Robert M. Czech, Chairperson
Robert E. Brenner
Thomas J. Perna
Richard E. Williams

SECTION A – HEARING MATTERS

A-1 SETTLEMENTS

In the Matter of Charmaine Ali
Hudson County
Department of Corrections
Removal

In the Matter of Michael Camp
City of Atlantic City
Department of Law and Public Safety
Suspensions (3)

In the Matter of Phillip DiPetta
Albert C. Wagner Youth Facility
Department of Corrections
Removal

In the Matter of Gina Fritts
North Jersey Developmental Center
Department of Human Services
Removal

In the Matter of Charlotte Holland
Woodbine Developmental Center
Department of Human Services
Removal

In the Matter of Kevin Johnson and Louis Wohltman
City of Newark
Police Department
Suspension

In the Matter of Deborah Johnson-McCall
Atlantic County
Department of Human Services
Removal

In the Matter of John McKenna
Department of Children and Families
Resignation not in good standing

In the Matter of Janet Medlin
Edna Mahan Correctional Facility
Department of Corrections
Removals

In the Matter of Gerald Stewart
Borough of Red Bank Housing Authority
Removal

In the Matter of Tabatha Vincent
Ocean County
Sheriff's Department
Suspension and Demotion

In the Matter of Donna Zier
Township of North Brunswick
Department of Public Safety
Removal

**RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN
THE ABOVE CASES – SETTLEMENT**

ACTION:

A-2 ALONZO CUMBERLANDER

Alonzo Cumberlander, Senior Correction Officer, Northern State Prison, Department of Corrections, 120-working day suspension on charges of conduct unbecoming a public employee, other sufficient cause, violation of administrative procedure and/or regulations involving safety and security, and violation of a rule, regulation, policy, procedure, order or administrative decision.

Recommendation of the Administrative Law Judge – Uphold the 120-working day suspension.

ACTION:

A-3 PASSAIC COUNTY CIVILIAN EMPLOYEES 2008 LAYOFFS

Luz Garcia, et al, Passaic County, Sheriff's Department, appeal the good faith of their layoffs effective July 7, 2008, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Uphold the layoffs.

ACTION:

A-4 CATIANNA AUGUSTIN AND CYNTHIA ALLEN (CONSOLIDATION)

Catianna Augustin and Cynthia Allen, Cottage Training Technicians, North Jersey Developmental Center, Department of Human Services, removals effective March 17, 2008, on the charge of physical abuse of a client.

Recommendation of the Administrative Law Judge – Reverse the removals.

ACTION:

A-5 AUGYANNA FACEY

Augyanna Facey, Cottage Training Technician, North Jersey Developmental Center, Department of Human Services, removal effective May 14, 2009, on charges of physical abuse of a client, mistreatment of a client, violation of a rule, regulation, or policy, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Reverse the removal.

ACTION:

A-6 JON K. GRUBB

Jon K. Grubb, Truck Driver, Upper Township, Department of Public Works Health and Grounds, removal effective June 15, 2005, on charges of conduct unbecoming a public employee, insubordination, failure to perform duties and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-7 MALIKAH HAMILTON (CONSOLIDATION)

Malikah Hamilton, Senior Correction Officer, East Jersey State Prison, Department of Corrections, 15-working day suspension and a removal effective October 26, 2010, on charges of chronic or excessive absenteeism or lateness, unsatisfactory attendance, absent from work as scheduled without permission and/or giving proper notice of intended absence.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:**A-8 MARGARET NAROUSKI**

Margaret Narouski, Senior Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, removal effective July 16, 2010, on charges of neglect of duty, incompetency or inefficiency, physical or mental abuse of a patient, individual, resident or employee, inappropriate physical contact or mistreatment of a patient individual, resident or employee, falsification, violation of a rule, regulation, policy, procedure, order or administrative decision, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:**A-9 BENJAMIN SMITH**

Benjamin Smith, Head Custodian, Jersey City School District, removal effective February 20, 2009, on charges of conduct unbecoming a public employee, misuse of public property and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-10 MICHAEL TOWNES

Michael Townes, Sr., Senior Food Service Handler, Greystone Park Psychiatric Hospital, Department of Human Services, removal on charges of chronic absenteeism without pay and being absent from work as scheduled without permission, without proper notice of intended absence.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-11 IRA WILLIAMS

Ira Williams, Cottage Training Technician, New Lisbon Developmental Center, Department of Human Services, removal effective May 6, 2010, on charges of being absent from work as scheduled without permission and without giving proper notice of intended absence, violation of a rule, regulation, policy, procedure, order, or administrative decision, conduct unbecoming a public employee and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

A-12 RICHARD WILLIAMS, JR.

Richard C. Williams, Jr., Fire Fighter, City of Atlantic City, Department of Public Safety, removal effective August 12, 2010, on charges of conduct unbecoming a public employee, misuse of public property, including motor vehicles and other sufficient cause.

Recommendation of the Administrative Law Judge – Uphold the removal.

ACTION:

SECTION B – MISCELLANEOUS MATTERS

- B-1** The Office of Legislature Services (OLS) requests the establishment of new unclassified titles. In accordance with *N.J.S.A. 11A:3-4c*, State Unclassified Service, employees in the Legislative Branch of State Government shall be in the unclassified service.

**MEMORANDUM**

DATE: July 14, 2011
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
State and Local Operations
SUBJECT: Change in the Classification Plan

Legislature

The Office of Legislative Services (OLS) requests the following establishment of new unclassified titles.

In accordance with *N.J.S.A. 11A:3-4(c)*, employees in the Legislative branch of State government shall be in the unclassified service.

The use of these titles will be restricted to OLS.

CREATE TITLES EFFECTIVE JULY 2, 2011

District Office Projects Specialist, OLS (35) X98

Attachment
KC/JMM/SR

ACTION:

- B-2** The Division of State and Local Operations requests the inactivation of sixty-seven titles used in various county and municipal government jurisdictions.



MEMORANDUM

DATE: July 18, 2011
TO: Civil Service Commission
FROM: Kenneth Connolly, Director
State and Local Operations
SUBJECT: Change in the Classification Plan

LOCAL GOVERNMENT TITLES

The Division of State and Local Operations requests the inactivation of sixty-seven (67) titles used in various county and municipal government jurisdictions.

The titles are unencumbered. There are no plans for future use for most of these titles; others were consolidated into alternate titles, or are planned for consolidation in the near future. We have notified local Appointing Authorities of our plans to inactivate, and have provided them with the opportunity to review and comment.

This action is requested to comply with Civil Service Commission goals of title reduction of unnecessary titles.

The effective date of these title inactivations will be the first pay period that follows the Commission's approval of the action.

TITLE INACTIVATIONS

ACCT CLK STENO 00002 Competitive Local	ASSISTANT POLICE AND FIRE SURGEON 00652 Unclassified Local
ADMINV SEC/PRNCPL ACCT CLK TYPG 07985 Competitive Local	ASSISTANT POLICE SURGEON 00653 Unclassified Local
ADMTG CLK 00228 Competitive Local	ASST ANML CNTRL OFCR/LABRR 03780 Competitive Local
ANML CNTRL OFCR/CD ENF OFCR 06239 Competitive Local	ASST CHF AUDTR 00346 Competitive Local
ASSISTANT PHYSICIAN 00644 Unclassified Local	ASST CHF IDENTFCN OFCR 00388 Competitive Local

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ASST DIR PRCHSG
00497 Competitive Local

CHF INVSTGR ELCTN
07656 Competitive Local

ASST EXEC HSEKPR
00530 Competitive Local

CHLD SPPRT WKR
05590 Competitive Local

ASST SPVG HSPTL ATTNDT
00745@ Competitive Local

CHLD SPPRT WRKR BIL SP/ENG
07082 Competitive Local

ASST SPVR SR CITZN ACTVTS
BI SP/ENG
05958 Competitive Local

CMNTY ORG SPCLST BI SP/ENG
07260 Competitive Local

ASST SUPINTDT CHLDRN SHLTR
00717 Competitive Local

CMPTR OPRTR/DP PROGR
06021 Competitive Local

ASST SUPINTDT JUVNL SPVSN FAC
05070 Competitive Local

CNTY CRCTN SGT/LCKSMTH
07554 Competitive Local

ASST TRFC SFTY COORDR
00797 Competitive Local

CNTY CRRCTN LT/TRNG OFCR
CRRCTNS
06883 Competitive Local

AUDTR-INVSTGTR
00847 Competitive Local

CNTY CRRECTN LIEUT/RNG MSTR
08005 Competitive Local

BLDG SUBCD OFCL/FIRE PRTCTN
INSPCTR
07843 Competitive Local

CNTY POLC INSPCTR
01418 Competitive Local

BLDG SVC WKR/SMSTRS
06855 Non-Competitive Local

COORDINATOR ADMINISTRATIVE
SERVICES
01349 Competitive Local

CHF CHAUFFR
01030 Competitive Local

DAY CARE CNTR WKR
01478 Competitive Local

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DCKT CKL TYPG BI SP/ENG
01676 Competitive Local

HMN SVCS ADMINR
05097 Competitive Local

DIR FINC/MUNCPL TREASR
06906 Competitive Local

HMN SVCS SPCLST 1 BI RSN/ENG
09004 Competitive Local

DIR OF LBR RELTNS
01610 Competitive Local

LIBRY EXHBT ARTST/PUBLIC INFO
ASST
02285 Competitive Local

DIR OF URBN RENWL
01648 Competitive Local

MGR SWRS/MGR WTR SPLY
07267 Competitive Local

DIRECTOR OF MEDICAL EDUCATION
05320 Unclassified Local

NRS COORDR PSYCHTRC THRPY
02560 Competitive Local

DRG ABUSE AIDE
01686 Competitive Local

PERMT INSPCTR
02642 Competitive Local

ECNOMST
05276 Competitive Local

PMPG STATN INSPCTR
02944 Competitive Local

ELCTRL INSPCTR/TRFC MAINT WKR
05899 Competitive Local

PROG COORDR DRG TRTMNT PROG
02874@ Competitive Local

EMPL BENFTS CLK TYPG/SEC ASST
BI SP/ENG
06587 Competitive Local

PUBL SFTY TELCMCTR/SECURTY
GUARD
06997 Competitive Local

EXEC ASST PUBL SFTY
04801 Competitive Local

SANITN INSPCTR BI SP/ENG
05825 Competitive Local

EXEC ASST/PSNL DIR
05532 Competitive Local

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SENIOR STREET AND SIDEWALK
INSPECTOR
03602 Competitive Local

SR TNT RELTNS ASST
07797 Competitive Local

SPVG MAINT RPRER HIGH PRESR LIC
07341 Competitive Local

SR X-RAY TECHN
03655 Competitive Local

SPVG RECPTNST & CMNTY INTRPRTR
BI SP/ENG
04797 Competitive Local

SUPERVISING DENTIST
03873@ Unclassified Local

SPVR BK STACK SVCS
03981 Competitive Local

SUPINTDT PUBL BLDGS
MRKTS & DCKS
07731 Competitive Local

SPVR CTRL SPLY
03952@ Competitive Local

TECHL ASST DEV
04138@ Competitive Local

SR ACCT CLK STENO
03167@ Competitive Local

WELL FLD ATTNDT
04316 Competitive Local

SR TELPHN OPRTR BI SP/ENG
04372 Competitive Local

YTH AIDE BI SP/ENG
08012 Competitive Local

ACTION:

- B-3** The Division of State and Local Operations requests the inactivation of 11 Program Development Specialist variant titles.



MEMORANDUM

DATE: August 1, 2011
TO: The Civil Service Commission (CSC)
FROM: Kenneth Connolly, Director State and Local Operations
SUBJECT: Change in State Classification Plan

Not fully

TITLE INACTIVATION

We request the inactivation of eleven (11) State variant titles.

The Division of State and Local Operations recently conducted a study to determine the practicality and appropriateness of consolidating several Program Development Specialist (PDS) titles. The results of this study identified several titles for consolidation, inactivation, and others to be retained as they currently exist.

We recommend the inactivation of the following PDS variant titles, as the function has either evolved or become obsolete over time.

TITLE INACTIVATIONS:

Effective: Changes will be effective the first pay period following the Commission's approval.

Program Development Specialist 2, Legal Services
P21-31542 State Career * NE/12

Program Development Specialist 1, Management & Finance
R26-64485S State Career * NL/12

Supervising Program Development Specialist, Management & Finance
S30-64487D State Career M N4/12

Program Development Specialist 1, Financial Management
R26-64485G State Career * NL/12

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Supervising Program Development Specialist, Financial Management
S29-64486D State Career * NL/12

Program Development Specialist 3, Recreation
P18-64482E State Career S NE/12

Program Development Specialist 2, Recreation
P21-64483E State Career S NE/12

Program Development Specialist 1, Recreation
R26-64485E State Career S NL/12

Program Development Specialist 3, Operations
P18-644821 State Career * NE/12

Program Development Specialist 2, Operations
P21-64483H State Career * NE/12

Program Development Specialist 1, Operations
R26-644855 State Career * NL/12

KC/JM/BP/GB

ACTION:

B-4 PEDRO CAPPAS

Pedro Cappas appeals his rejection as a Police Officer candidate by Trenton and its request to remove his name from the eligible list for Police Officer (S9999K) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-5 PAUL RODESKY

Paul Rodesky appeals his rejection as a County Correction Officer candidate by Camden County and its request to remove his name from the eligible list for County Correction Officer (S9999K) on the basis of psychological unfitness to perform effectively the duties of the position.

ACTION:

B-6 MAUREEN COLLAZO

Maureen Collazo, a Teacher 1, 12 Months, with Garden State Youth Correctional Facility, Department of Corrections, represented by Samuel M. Gaylord, Esq., appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-7 MARLON JORDON

Marlon Jordon, a former Youth Worker Supervisor with the Department of Children and Families, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-8 JEAN KELLY

Jean Kelly, an Administrative Assistant 3 with the Department of Banking and Insurance, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-9 JOSEPH MARTIN

Joseph Martin, a Senior Parole Officer with the State Parole Board, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-10 DARRELL MORTON

Darrell Morton, a Painter with Greystone Park Psychiatric Hospital, Department of Human Services, appeals the denial of sick leave injury (SLI) benefits.

ACTION:

B-11 ABDUR AZIM

Abdur Azim appeals the removal of his name from the eligible list for Social Worker 1 (S0608J), Juvenile Justice Commission, on the basis of falsification of his employment application.

ACTION:

B-12 FRANK BROGDEN

Frank Brogden appeals the decision of the Division of State and Local Operations which upheld the removal of his name from the Correction Officer Recruit (S9999K), Department of Corrections, eligible list due to his unsatisfactory criminal record and falsification of his employment application.

ACTION:

B-13 MICHAEL RYAN

Michael Ryan appeals the determination of the Division of Selection Services which found him ineligible for the Entry Level Law Enforcement (S9999M) examination for various titles due to an untimely application.

ACTION:

B-14 SHARON STOW AND JENNIFER DAY

The Burlington County Board of Social Services appeals the determination of the Division of State and Local Operations which denied its request to remove Sharon Stow and Jennifer Day from the November 3, 2010 certification of the eligible list for Human Services Specialist 1 (C0413L) on the basis that they do not meet the announced requirements.

ACTION:

B-15 ANITRA BEALS

Anitra Beals, a Human Services Specialist 2 with the Cumberland County Board of Social Services, appeals the bypass of her name on the June 10, 2010 certification of the Human Services Specialist 4 (PC0590L) eligible list.

ACTION:

B-16 PASQUALE ANGELASTRO

Pasquale Angelastro, Camden County, Public Safety and Juvenile Justice Department, petitions the Civil Service Commission for reconsideration of the decision rendered on June 1, 2011, which found that the layoff tie-breaker criteria were correctly applied.

ACTION:

B-17 SHERI BROWN, ET AL.

Sheri Brown, Towanna Richardson, Keisha Newell, Angel Hollaway, Sharon Smiley-McCormick, Shakima Bacon, Vanolio Deloatch, and Sandra Currais, former Clerk Typists with the Newark School District, appeal the determinations of their layoff rights by the Division of State and Local Operations (SLO). Additionally, Keneesha Haynes, a former Data Control Clerk, Typing, and Ernette Willis-Pinkston, a former Word Processing Operator, appeal the determinations of their layoff rights by SLO.

ACTION:

B-18 TERRENCE GILLIAM

Terrence Gilliam, a former Social Worker with the Mercer County Board of Social Services, appeals the determination of his layoff rights by the Division of State and Local Operations.

ACTION:

B-19 RICHARD CASELLA

Richard Casella petitions the Civil Service Commission for reconsideration of the decision rendered on May 4, 2011, which found that his scores are correct on the promotional examination for Fire Officer 2 (PM3504L), Jersey City.

ACTION:

B-20 ROSANN D'ERRICO, ET AL.

The Office of the Public Defender (OPD), on behalf of Rosann D'Errico, a former Supervisor, Fiscal Accounts, Maryann Marazzo, a provisional Administrative Analyst 2, and Charlotte Nixon, a Technical Assistant 2, Treasury, requests a waiver of repayment of salary overpayments, pursuant to *N.J.S.A. 11A:3-7*, which provides that when an employee has erroneously received a salary overpayment, the Civil Service Commission may waive repayment based on a review of the case. The OPD also requests that their salaries be red-circled.

ACTION:

B-21 JOHN FASANELLA

The Mercer County Office of the Sheriff and John Fasanella, represented by Charles P. Allen, Jr., Esq., seek acknowledgement of the July 21, 2011 settlement agreement between the parties.

ACTION:

B-22 TAMESHIA RUSSELL

Tameshia Russell, a Secretarial Assistant 1 (Non-Stenographic), represented by Daniel S. Sweetser, Esq., appeals the decision of the Motor Vehicle Commission to reassign her from the Assistant Chief Administrator's Office to the Motor Carriers Unit.

ACTION:

B-23 CATRINA WASHINGTON

Catrina Washington, a former Cottage Training Technician with New Lisbon Developmental Center, Department of Human Services, represented by Stephan Siegel, Esq., requests that the Civil Service Commission reinstate her appeal of her removal effective November 24, 2008, which was dismissed based on her failure to appear at her scheduled hearing. This matter was held over from the Commission's July 27, 2011 meeting for further review.

ACTION:

B-24 JOHN WOOD

John Wood, a Correction Sergeant, with Bayside State Prison, Department of Corrections, requests that the Civil Service Commission reinstate his appeal of his indefinite suspension pending criminal charges effective September 13, 2010, which was dismissed based on his failure to appear at his scheduled hearing.

ACTION:

B-25 JOHN CAMPANILE, ET AL.

John Campanile, James Just and Jose Rosario appeal the determinations of the Division of Selection Services denying their requests for make-up examinations for Entry Level Law Enforcement Examination (S9999M).

ACTION:

B-26 LAUREN BRADFORD

The Department of the Treasury requests that Lauren Bradford's out-of-title experience be accepted to qualify her for a prospective promotional examination for Administrative Analyst 3, Data Processing.

ACTION:

B-27 MATTHEW COHEN

The Department of Community Affairs requests the acceptance of out-of-title experience for Matthew Cohen to qualify him for a promotional examination for the title of Supervising Program Development Specialist, Management and Finance.

ACTION:

B-28 MICHAEL FERRARO

Michael Ferraro requests additional differential back pay for the duties he was performing as an Assistant Supervisor 2, Administrative Services with the Richard Stockton State College.

ACTION:

B-29 STEVE DOBROSKY AND ERIN PEEK

The Department of Environmental Protection requests that the provisions of *N.J.A.C. 4A:4-1.1(c)* be relaxed in order to allow Steve Dobrosky and Erin Peek to be provisionally appointed, pending promotional examination procedures, to the title of Heavy Equipment Operator.

ACTION:

B-30 KEVIN MCGRATH

The Division of Selection Services, on behalf of the Department of Banking and Insurance, requests that the educational requirements for the promotional examination for Managing Examiner (PS1390L), Department of Banking and Insurance, be relaxed in order to effect Kevin McGrath's eligibility to the examination.

ACTION:

B-31 JOANNE ROBINSON

The Motor Vehicle Commission requests that the eligible list for Administrative Analyst 2 (PS8042T) be revived to allow for the retroactive permanent appointment of Joanne Robinson, effective January 15, 2011.

ACTION:

**B-32 SUPERVISING DRIVER IMPROVEMENT ANALYST (PS5991T),
MOTOR VEHICLE COMMISSION**

The Motor Vehicle Commission requests that the eligible list for Supervising Driver Improvement Analyst (PS5991T) be revived in order to effectuate the permanent appointment of Dennis Maddalena.

ACTION:

B-33 ROBERT BIELSTEN

The City of Clifton, represented by Joseph M. Hannon, Esq., appeals the February 15, 2011 decision of the Division of State and Local Operations which found that Robert Bielsten's position is properly classified as a Police Captain.

ACTION:

B-34 MICHELLE Cimorelli

Michelle Cimorelli appeals the June 6, 2011 decision of the Division of State and Local Operations which found that her position with the Department of the Treasury is correctly classified as Technical Assistant 1, Treasury. The appellant seeks an Administrative Analyst 3 classification.

ACTION:

B-35 JOANN TOMARO

Joann Tomaro appeals the decision of the Division of State and Local Operations that the proper classification of her position with the Department of Corrections is Head Audit Account Clerk. The appellant seeks a Supervisor of Accounts classification.

ACTION:

B-36 ACCOUNT CLERK (M1342L), LAVALLETTE

Lavallette requests permission not to make an appointment from the August 11, 2010 certification for Account Clerk (M1342L).

ACTION:

B-37 MANAGEMENT ASSISTANT (C1325L), HUDSON COUNTY

The appointing authority's failure to dispose of the certification for Management Assistant (C1325L), Hudson County, while provisionals are serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION:

B-38 PUBLIC INFORMATION ASSISTANT (C0425L), MIDDLESEX COUNTY

Middlesex County requests permission not to make an appointment from the January 12, 2010 certification for Public Information Assistant (C0425L).

ACTION:

B-39 SENIOR ACCOUNT CLERK (C1151L), BERGEN COUNTY

The matter of whether Bergen County should be granted permission not to make an appointment from the August 11, 2010 certification for Senior Account Clerk (C1151L) has been referred to the Civil Service Commission for review.

ACTION:

**B-40 ADMINISTRATIVE ANALYST 1, DATA PROCESSING (PS5021I),
DEPARTMENT OF CORRECTIONS**

In In the Matter of Administrative Analyst 1, Data Processing (PS5021I), Department of Corrections (CSC, decided April 29, 2009), the Civil Service Commission granted the request of the Department of Corrections for an appointment waiver for the April 7, 2008 certification and ordered that no selection costs would be assessed at that time since there was a possibility that the list could be utilized prior to its expiration. However, the appointing authority did not utilize the subject eligible list and the matter of the assessment of costs is now before the Commission.

ACTION:**B-41 INSTITUTIONAL TRADE INSTRUCTOR 1, WAREHOUSING (\$6955J),
DEPARTMENT OF CORRECTIONS**

In In the Matter of Institutional Trade Instructor 1, Warehousing (\$6955J), Department of Corrections (CSC, decided August 19, 2009), the appointing authority's request for an appointment waiver from the June 20, 2008, certification was granted and no selection costs were assessed at that time since there was a possibility that the list could be utilized prior to its expiration. However, the appointing authority did not utilize the subject eligible list and the matter of the assessment of costs is now before the Civil Service Commission.

ACTION:**B-42 CONSTRUCTION OFFICIAL (M0043M), POINT PLEASANT
BOROUGH**

The appointing authority's failure to dispose of the certification for Construction Official (M0043M), Point Pleasant Borough, while a provisional is serving in the title, has been referred to the Civil Service Commission for enforcement.

ACTION:

B-43 HUMAN SERVICES SPECIALIST 1 (C0015K)

The Ocean County Board of Social Services requests that the eligible list for Human Services Specialist 1 (C0015K) be extended for one year beyond its original expiration date.

ACTION:

B-44 VANESSA BARNES

Vanessa Barnes, a former Social Worker 1 with the Juvenile Justice Commission, Department of Law and Public Safety, represented by Christopher Young, Staff Representative, CWA Local 1040, appeals the determination of the Chief of Staff, Office of the Attorney General, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

ACTION:

B-45 THOMAS LYNCH

The appeal of Thomas Lynch, a Police Officer with Voorhees Township Police Department, of his 70-working day suspension, on charges, was heard by Administrative Law Judge Ronald W. Reba, who rendered his initial decision on June 15, 2011. At its meeting on July 27, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to modify the 70-working day suspension to a 30-working day suspension. Rather, the Commission upheld the 70-working day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION:

B-46 DEAN MANNION

The appeal of Dean Mannion, a Fire Fighter with North Hudson Regional Fire and Rescue, of his eight-day suspension, on charges, was heard by Administrative Law Judge Michael Antoniewicz, who rendered his initial decision on June 22, 2011. At its meeting on July 27, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to modify the appellant's suspension to a six-day suspension. Rather, the Commission upheld the eight-day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION:**B-47 THOMAS MITCHELL**

The appeal of Thomas Mitchell, an Institutional Trade Instructor 2, Cooking, with Northern State Prison, Department of Corrections, of his 45-working day suspension, on charges, was heard by Administrative Law Judge Leslie Z. Celentano, who rendered her initial decision on May 23, 2011. At its meeting on July 27, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to modify the 45-working day suspension to a 15-working day suspension. Rather, the Commission upheld the 45-working day suspension. The proposed final decision is now submitted for the Commission's review.

ACTION:**B-48 MAYLANA RHODES**

The appeal of Maylana Rhodes, a Juvenile Detention Officer with Hudson County, Department of Corrections, of her resignation not in good standing effective July 21, 2010, on charges, was heard by Administrative Law Judge Kimberly A. Moss, who rendered her initial decision on June 1, 2011. At its meeting on July 27, 2011, the Civil Service Commission did not adopt the ALJ's recommendation to modify the resignation not in good standing to a six-month suspension. Rather, the Commission upheld the appellant's removal. The proposed final decision is now submitted for the Commission's review.

ACTION:

B-49 DWAYNE SMITH

The appeal of Dwayne Smith, a Senior Correction Officer at Northern State Prison, Department of Corrections, of his removal effective November 22, 2010, on charges, was heard by Administrative Law Judge Leslie A. Celentano, who rendered her initial decision on April 12, 2011. At its meeting on July 27, 2011, the Civil Service Commission adopted the ALJ's recommendation to uphold the removal. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed final decision is now submitted for the Commission's review.

ACTION:**B-50 HAZEL BENJAMIN**

Hazel Benjamin appeals the determination of the Division of Selection Services which found that, as per the substitution clause for education, she was below the minimum requirements in experience for the open competitive examination for Community Service Worker (C0004N), Ocean County.

ACTION:**B-51 ELLIOTT CLARK AND HARPREET SINGH**

Elliott Clark and Harpreet Singh appeal the determinations of the Division of Selection Services that they lacked the required amount of permanent status in a title to which the examination is open for the promotional examination for Forensic Scientist 3, Department of Law and Public Safety (PS9104P).

ACTION:**B-52 OMAR CORDERO**

Omar Cordero appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Equipment Operator (PM0392M), Plainfield.

ACTION:

B-53 CHARLES DISCHER

Charles Discher appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Supervisor of Motor Pool (PC0085N), Hudson County.

ACTION:

B-54 KEVIN DORAN, ET AL.

Kevin Doran, Soma Rench and Mary Trongone appeal the determinations of the Division of Selection Services which found that they did not meet the experience requirements for the open competitive examination for Customer Service Representative 1 (S0756M), Statewide.

ACTION:

B-55 DANA S. FRECK

Dana S. Freck appeals the determination of the Division of Selection Services which found that she did not meet the requirements for the promotional examination for Manager 1, Information Processing (PS5923K), Department of Children and Families.

ACTION:

B-56 RAYMOND GRIMES, JR.

Raymond Grimes, Jr., appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the open competitive examination for Section Forest Firewarden (S0070N), Department of Environmental Protection.

ACTION:

B-57 WAYNE JACOBSEN

Wayne Jacobsen appeals the determination of the Division of Selection Services that found that he did not meet the experience requirements for the promotional examination for Buyer (PS1408P), Division of State Police.

ACTION:

B-58 KAREN LAVELLE-JACKSON

Karen Lavelle-Jackson appeals the validity of the promotional examination for Paralegal Specialist (PS1109L), Gloucester County.

ACTION:

B-59 AMY LUCAS

Amy Lucas appeals the determination of the Division of Selection Services that she did not meet the experience requirement for the open competitive examination for Home Instructor, Commission for the Blind and Visually Impaired (S0082N), Statewide.

ACTION:

B-60 DANIEL PANARELLO

Daniel Panarello appeals the decision of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Management Information Systems Coordinator (PC0168N), Atlantic County.

ACTION:

B-61 KATHY RODRIGUEZ

Kathy Rodriguez appeals the determination of the Division of Selection Services which found that, per the substitution clause for education, she did not meet the experience requirements for the promotional examination for Director of Welfare (PC0774K), Cumberland County Board of Social Services.

ACTION:

B-62 GLEN SZABLEWSKI

Glen Szablewski appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in experience for the promotional examination for Assistant Supervisor Public Works (PM0008N), Brick Township.

ACTION:

B-63 JOHN ZOLDI

John Zoldi appeals the determination of the Division of Selection Services which found that he was below the experience requirements per the substitution clause for education for the promotional examination for Administrative Analyst 2 Data Processing (PS2325P), Department of Law and Public Safety.

ACTION:**B-64 PROPOSED AMENDMENT: *N.J.A.C. 4A:3-3.9*, CLASSIFICATION APPEALS**

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C. 4A:3-3.9*, Classification appeals. The amendments are intended to make the classification appeal process more efficient and are based on recommendations by Kenneth Connolly, the Director of State and Local Operations. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

ACTION:**B-65 PROPOSED AMENDMENT: *N.J.A.C. 4A:2-1.5*, REMEDIES**

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C. 4A:2-1.5*, Remedies. The amendment would define the term "sufficient cause" in the context of determining whether a prevailing appellant may receive back pay, benefits, or counsel fees where the appeal is neither disciplinary nor concerns a layoff action done in bad faith. Defining "sufficient cause" is necessary in the wake of the decision in *In the Matter of Hearn*, 417 N.J.Super. 289 (App. Div 2010), wherein the court held that the Commission's working definition of "sufficient cause" could be applied only via rulemaking, not adjudication. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

ACTION:

B-66 PROPOSED AMENDMENT: *N.J.A.C.* 4A:4-2.4, PROMOTIONAL TITLE SCOPE: LOCAL SERVICE

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C.* 4A:4-2.4, Promotional title scope: local service. The amendment would make the rule parallel to *N.J.A.C.* 4A:4-2.5, Promotional title scope: State service, by permitting a promotional title scope in local service to be set with or without all or part of the open competitive requirements, as appropriate. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

ACTION:**B-67 PROPOSED AMENDMENT: *N.J.A.C.* 4A:4-3.9, REEMPLOYMENT PROGRAM FOR CERTAIN FIREFIGHTERS**

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C.* 4A:4-3.9, concerning the reemployment program known as the "Rice Bill" for laid off municipal firefighters or those municipal firefighters demoted to a non-firefighting title, and laid off civilian Federal firefighters. The amendment would codify P.L. 2010, c.43, which provides that the afore-described individuals would be eligible to participate in the Rice Bill program if the layoff or demotion, as the case may be, occurred within the last 60 months. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

ACTION:

B-68 PROPOSED AMENDMENT: *N.J.A.C.* 4A:2-2.8 AND 2.13; PROPOSED FOR DELETION: APPENDICES TO *N.J.A.C.* 4A:2-2.8 AND *N.J.A.C.* 4A:2-2.13; AND PROPOSED NEW APPENDICES TO THOSE RULES (MAJOR DISCIPLINARY APPEALS OF CERTAIN CIVIL SERVICE EMPLOYEES AND REMOVAL APPEALS OF CERTAIN LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS)

Submitted for the Commission's approval is a Notice of Proposal to amend *N.J.A.C.* 4A:2-2.8 and 2.13; delete the current Appendices to *N.J.A.C.* 4A:2-2.8 and 4A:2-2.13; and replace them with new Appendices to those rules, concerning major disciplinary appeals of certain civil service employees and removal appeals of certain law enforcement officers and firefighters. The proposed amendments would provide that an appeal may be dismissed where, after notice of and a reasonable opportunity to correct a deficiency, the appellant still fails to include the required information with his or her appeal form. A new Appendix to *N.J.A.C.* 4A:2-2.8 would include a revised Major Disciplinary Appeal Form. A new Appendix to *N.J.A.C.* 4A:2-2.13 would include a revised Law Enforcement Officer and Firefighter Removal Appeal Form. It is recommended that this proposal be approved for publication in the New Jersey Register for public notice and comment.

ACTION:

B-69 CIVIL SERVICE COMMISSION MINUTES

Submitted for adoption are the Civil Service Commission minutes of its meeting of July 27, 2011.

ACTION: